

67C.139 Authority over appointments upon establishment of consolidated local government.

If a cooperative compact exists between a city of the first class and its county prior to the creation of a consolidated local government, upon the establishment of the consolidated local government:

- (1) (a) The mayor of the consolidated local government shall assume all appointment authority previously held by the county judge/executive and the mayor of the consolidating governments. Appointments made by the mayor should reflect the political, geographic, gender, age, and racial diversity of the population within the jurisdiction of the consolidated local government. Upon the expiration of a term of appointment, the mayor shall make an appointment or reappointment within ninety (90) days of the term's expiration.
- (b) If the mayor fails to make an appointment within ninety (90) days, the legislative council of the consolidated local government shall make the appointment within thirty (30) days after the expiration of the ninety (90) day period. The legislative council's appointment shall take into account the political, geographic, gender, age, and racial diversity of the population. The legislative council shall adopt a resolution specifying how these appointments shall be made; and
- (2) (a) When authorized by statute, the mayor shall, subject to legislative council approval, determine which statutorily created agencies, boards, and commissions require legislative council approval for the appointment of members.
- (b) 1. Subject to legislative council approval, the mayor shall determine the agencies, boards, and commissions to which legislative council members shall be appointed. The mayor's determination under this subparagraph shall be made in consultation with the Office of the Attorney General and shall not violate the incompatible offices prohibitions in KRS 61.080(3).
2. The presiding officer of the legislative council shall make all legislative council appointments to agencies, boards, and commissions from the membership of the legislative council, subject to subparagraph 1. of this paragraph.
- (c) The legislative council shall enact an ordinance setting out the role of the legislative council, if any, in the appointment process for each individual agency, board, and commission created by statute. Only one (1) agency, board, or commission shall be addressed per ordinance. Such ordinance shall require a vote of the majority of the entire membership of the legislative council for approval and shall be subject to mayoral veto and legislative override pursuant to KRS 67C.103(13)(a) and 67C.105(5)(i); and
- (3) The appointment of members to all agencies, boards, and commissions created by ordinance shall be determined by the ordinance creating the agency, board, or commission.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 150, sec. 5, effective June 29, 2017. --
Created 2002 Ky. Acts ch. 346, sec. 1, effective July 15, 2002.